

Amendment No. 1 to HB1039

Vaughan
Signature of Sponsor

AMEND Senate Bill No. 1402

House Bill No. 1039*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 50-7-301(b), is amended by deleting the benefit table and substituting:

BENEFIT TABLE

(Effective for benefit years established on and after July 5, 1992)

<u>COLUMN A</u>	<u>COLUMN B</u>
Average Wages Paid in Highest Two Quarters of Base Period	Weekly Benefit Amount
\$ 780.01 through \$ 806.00	\$ 35.00
806.01 through 832.00	36.00
832.01 through 858.00	37.00
858.01 through 884.00	38.00
884.01 through 910.00	39.00
910.01 through 936.00	40.00
936.01 through 962.00	41.00
962.01 through 988.00	42.00
988.01 through 1,014.00	43.00
1,014.01 through 1,040.00	44.00
1,040.01 through 1,066.00	45.00
1,066.01 through 1,092.00	46.00
1,092.01 through 1,118.00	47.00
1,118.01 through 1,144.00	48.00

1,144.01 through 1,170.00	49.00
1,170.01 through 1,196.00	50.00
1,196.01 through 1,222.00	51.00
1,222.01 through 1,248.00	52.00
1,248.01 through 1,274.00	53.00
1,274.01 through 1,300.00	54.00
1,300.01 through 1,326.00	55.00
1,326.01 through 1,352.00	56.00
1,352.01 through 1,378.00	57.00
1,378.01 through 1,404.00	58.00
1,404.01 through 1,430.00	59.00
1,430.01 through 1,456.00	60.00
1,456.01 through 1,482.00	61.00
1,482.01 through 1,508.00	62.00
1,508.01 through 1,534.00	63.00
1,534.01 through 1,560.00	64.00
1,560.01 through 1,586.00	65.00
1,586.01 through 1,612.00	66.00
1,612.01 through 1,638.00	67.00
1,638.01 through 1,664.00	68.00
1,664.01 through 1,690.00	69.00
1,690.01 through 1,716.00	70.00
1,716.01 through 1,742.00	71.00
1,742.01 through 1,768.00	72.00
1,768.01 through 1,794.00	73.00
1,794.01 through 1,820.00	74.00
1,820.01 through 1,846.00	75.00

1,846.01 through 1,872.00	76.00
1,872.01 through 1,898.00	77.00
1,898.01 through 1,924.00	78.00
1,924.01 through 1,950.00	79.00
1,950.01 through 1,976.00	80.00
1,976.01 through 2,002.00	81.00
2,002.01 through 2,028.00	82.00
2,028.01 through 2,054.00	83.00
2,054.01 through 2,080.00	84.00
2,080.01 through 2,106.00	85.00
2,106.01 through 2,132.00	86.00
2,132.01 through 2,158.00	87.00
2,158.01 through 2,184.00	88.00
2,184.01 through 2,210.00	89.00
2,210.01 through 2,236.00	90.00
2,236.01 through 2,262.00	91.00
2,262.01 through 2,288.00	92.00
2,288.01 through 2,314.00	93.00
2,314.01 through 2,340.00	94.00
2,340.01 through 2,366.00	95.00
2,366.01 through 2,392.00	96.00
2,392.01 through 2,418.00	97.00
2,418.01 through 2,444.00	98.00
2,444.01 through 2,470.00	99.00
2,470.01 through 2,496.00	100.00
2,496.01 through 2,522.00	101.00
2,522.01 through 2,548.00	102.00

2,548.01 through 2,574.00	103.00
2,574.01 through 2,600.00	104.00
2,600.01 through 2,626.00	105.00
2,626.01 through 2,652.00	106.00
2,652.01 through 2,678.00	107.00
2,678.01 through 2,704.00	108.00
2,704.01 through 2,730.00	109.00
2,730.01 through 2,756.00	110.00
2,756.01 through 2,782.00	111.00
2,782.01 through 2,808.00	112.00
2,808.01 through 2,834.00	113.00
2,834.01 through 2,860.00	114.00
2,860.01 through 2,886.00	115.00
2,886.01 through 2,912.00	116.00
2,912.01 through 2,938.00	117.00
2,938.01 through 2,964.00	118.00
2,964.01 through 2,990.00	119.00
2,990.01 through 3,016.00	120.00
3,016.01 through 3,042.00	121.00
3,042.01 through 3,068.00	122.00
3,068.01 through 3,094.00	123.00
3,094.01 through 3,120.00	124.00
3,120.01 through 3,146.00	125.00
3,146.01 through 3,172.00	126.00
3,172.01 through 3,198.00	127.00
3,198.01 through 3,224.00	128.00
3,224.01 through 3,250.00	129.00

3,250.01 through 3,276.00	130.00
3,276.01 through 3,302.00	131.00
3,302.01 through 3,328.00	132.00
3,328.01 through 3,354.00	133.00
3,354.01 through 3,380.00	134.00
3,380.01 through 3,406.00	135.00
3,406.01 through 3,432.00	136.00
3,432.01 through 3,458.00	137.00
3,458.01 through 3,484.00	138.00
3,484.01 through 3,510.00	139.00
3,510.01 through 3,536.00	140.00
3,536.01 through 3,562.00	141.00
3,562.01 through 3,588.00	142.00
3,588.01 through 3,614.00	143.00
3,614.01 through 3,640.00	144.00
3,640.01 through 3,666.00	145.00
3,666.01 through 3,692.00	146.00
3,692.01 through 3,718.00	147.00
3,718.01 through 3,744.00	148.00
3,744.01 through 3,770.00	149.00
3,770.01 through 3,796.00	150.00
3,796.01 through 3,822.00	151.00
3,822.01 through 3,848.00	152.00
3,848.01 through 3,874.00	153.00
3,874.01 through 3,900.00	154.00
3,900.01 through 3,926.00	155.00
3,926.01 through 3,952.00	156.00

3,952.01 through 3,978.00	157.00
3,978.01 through 4,004.00	158.00
4,004.01 through 4,030.00	159.00
4,030.01 through 4,056.00	160.00
4,056.01 through 4,082.00	161.00
4,082.01 through 4,108.00	162.00
4,108.01 through 4,134.00	163.00
4,134.01 through 4,160.00	164.00
4,160.01 through 4,186.00	165.00
4,186.01 through 4,212.00	166.00
4,212.01 through 4,238.00	167.00
4,238.01 through 4,264.00	168.00
4,264.01 through 4,290.00	169.00
4,290.01 through 4,316.00	170.00
4,316.01 through 4,342.00	171.00
4,342.01 through 4,368.00	172.00
4,368.01 through 4,394.00	173.00
4,394.01 through 4,420.00	174.00

(Effective for Benefit Years Established on or after July 4, 1993)

<u>COLUMN A</u>	<u>COLUMN B</u>
Average Wages Paid in Highest Two Quarters of Base Period	Weekly Benefit Amount
\$ 4,420.01 through \$ 4,446.00	\$ 175.00
4,446.01 through 4,472.00	176.00
4,472.01 through 4,498.00	177.00
4,498.01 through 4,524.00	178.00
4,524.01 through 4,550.00	179.00
4,550.01 through 4,576.00	180.00

4,576.01 through 4,602.00	181.00
4,602.01 through 4,628.00	182.00
4,628.01 through 4,654.00	183.00
4,654.01 through 4,680.00	184.00
4,680.01 through 4,706.00	185.00
4,706.01 through 4,732.00	186.00
4,732.01 through 4,758.00	187.00
4,758.01 through 4,784.00	188.00
4,784.01 through 4,810.00	189.00
4,810.01 through 4,836.00	190.00

(Effective for Benefit Years Established on or after July 3, 1994)

<u>COLUMN A</u>	<u>COLUMN B</u>
Average Wages Paid in Highest Two Quarters of Base Period	Weekly Benefit Amount
\$ 4,836.01 through \$ 4,862.00	\$ 191.00
4,862.01 through 4,888.00	192.00
4,888.01 through 4,914.00	193.00
4,914.01 through 4,940.00	194.00
4,940.01 through 4,966.00	195.00
4,966.01 through 4,992.00	196.00
4,992.01 through 5,018.00	197.00
5,018.01 through 5,044.00	198.00
5,044.01 through 5,070.00	199.00
5,070.01 through 5,096.00	200.00
5,096.01 through 5,122.00	201.00
5,122.01 through 5,148.00	202.00
5,148.01 through 5,174.00	203.00
5,174.01 through 5,200.00	204.00

(Effective for Benefit Years Established on or after July 7, 1996)

<u>COLUMN A</u>	<u>COLUMN B</u>
Average Wages Paid in Highest Two Quarters of Base Period	Weekly Benefit Amount
\$ 5,200.01 through \$ 5,226.00	\$ 205.00
5,226.01 through 5,252.00	206.00
5,252.01 through 5,278.00	207.00
5,278.01 through 5,304.00	208.00
5,304.01 through 5,330.00	209.00
5,330.01 through 5,356.00	210.00
5,356.01 through 5,382.00	211.00
5,382.01 through 5,408.00	212.00
5,408.01 through 5,434.00	213.00
5,434.01 through 5,460.00	214.00
5,460.01 through 5,486.00	215.00
5,486.01 through 5,512.00	216.00
5,512.01 through 5,538.00	217.00
5,538.01 through 5,564.00	218.00
5,564.01 through 5,590.00	219.00
5,590.01 through 5,616.00	220.00
5,616.01 through 5,642.00	221.00
5,642.01 through 5,668.00	222.00
5,668.01 through 5,694.00	223.00
5,694.01 through 5,720.00	224.00
5,720.01 through 5,746.00	225.00

(Effective for Benefit Years Established on or after July 6, 1997)

COLUMN ACOLUMN B

Average Wages Paid in Highest Two Quarters of Base Period

Weekly Benefit Amount

\$ 5,746.01 through \$ 5,772.00

\$ 226.00

5,772.01 through 5,798.00

227.00

5,798.01 through 5,824.00

228.00

5,824.01 through 5,850.00

229.00

5,850.01 through 5,876.00

230.00

5,876.01 through 5,902.00

231.00

5,902.01 through 5,928.00

232.00

5,928.01 through 5,954.00

233.00

5,954.01 through 5,980.00

234.00

5,980.01 through 6,006.00

235.00

6,006.01 through 6,032.00

236.00

6,032.01 through 6,058.00

237.00

6,058.01 through 6,084.00

238.00

6,084.01 through 6,110.00

239.00

6,110.01 through 6,136.00

240.00

6,136.01 through 6,162.00

241.00

6,162.01 through 6,188.00

242.00

6,188.01 through 6,214.00

243.00

6,214.01 through 6,240.00

244.00

6,240.01 through 6,266.00

245.00

(Effective for Benefit Years Established on or after July 5, 1998)

COLUMN ACOLUMN B

Average Wages Paid in Highest Two Quarters of Base Period

Weekly Benefit Amount

\$ 6,266.01 through \$ 6,292.00

\$ 246.00

6,292.01 through 6,318.00	247.00
6,318.01 through 6,344.00	248.00
6,344.01 through 6,370.00	249.00
6,370.01 through 6,396.00	250.00
6,396.01 through 6,422.00	251.00
6,422.01 through 6,448.00	252.00
6,448.01 through 6,474.00	253.00
6,474.01 through 6,500.00	254.00
6,500.01 through 6,526.00	255.00
6,526.01 through 6,552.00	256.00
6,552.01 through 6,578.00	257.00
6,578.01 through 6,604.00	258.00
6,604.01 through 6,630.00	259.00
6,630.01 through 6,656.00	260.00

(Effective for Benefit Years Established on or after August 5, 2001)

<u>COLUMN A</u>	<u>COLUMN B</u>
Average Wages Paid in Highest Two Quarters of Base Period	Weekly Benefit Amount
\$ 6,656.01 through \$ 6,682.00	\$ 261.00
6,682.01 through 6,708.00	262.00
6,708.01 through 6,734.00	263.00
6,734.01 through 6,760.00	264.00
6,760.01 through 6,786.00	265.00
6,786.01 through 6,812.00	266.00
6,812.01 through 6,838.00	267.00
6,838.01 through 6,864.00	268.00
6,864.01 through 6,890.00	269.00
6,890.01 through 6,916.00	270.00

6,916.01 through 6,942.00	271.00
6,942.01 through 6,968.00	272.00
6,968.01 through 6,994.00	273.00
6,994.01 through 7,020.00	274.00
7,020.01 through 7,046.00	275.00
7,046.01 through 7,072.00	276.00
7,072.01 through 7,098.00	277.00
7,098.01 through 7,124.00	278.00
7,124.01 through 7,150.00	279.00
7,150.01 and over	280.00

SECTION 2. Tennessee Code Annotated, Section 50-7-301, is amended by deleting subsection (d) and substituting:

(d) **Maximum Benefits.**

(1) Beginning with those benefit years established on July 4, 1983, and ending as determined by Section 3, an otherwise eligible claimant is entitled during a benefit year to a total amount of benefits equal to whichever is the lesser of:

(A) Twenty-six (26) times the claimant's weekly benefit amount; or

(B) One-fourth (1/4) of the claimant's wages for insured work

paid.

(2) Beginning with those benefit years established as determined by Section 3, an otherwise eligible claimant is entitled during a benefit year to a total amount of benefits:

(A) Equal to:

(i) Twelve (12) weeks, if the state average unemployment rate is at or below five and five-tenths percent (5.5%); and

(ii) An additional week in addition to the twelve (12) weeks described in subdivision (d)(2)(A)(i) for each five-tenths percent (0.5%) increment in the state's average unemployment rate above five and five-tenths percent (5.5%); and

(B) Up to a maximum of twenty (20) weeks if the state's average unemployment rate exceeds nine percent (9%).

(3)

(A) The total amount of benefits, if not a multiple of one dollar (\$1.00), must be computed at the next lower multiple of one dollar (\$1.00).

(B) A claimant is not entitled to benefits if the claimant's base period earnings are less than forty (40) times the claimant's weekly benefit amount.

(C) A claimant is not entitled to benefits if the claimant's base period earnings, outside the claimant's highest calendar quarter of earnings, are less than the lesser of six (6) times the claimant's weekly benefit amount or nine hundred dollars (\$900).

(4)

(A) For purposes of subdivision (d)(2)(A), the department shall determine the state average unemployment rate biannually, and the rate must be equal to the seasonally adjusted unemployment rate, as published by the United States Department of Labor. The most recent biannual rate to the first Sunday of the month prior to the filing of an unemployment claim must be used to determine a claimant's maximum benefit period.

(B) Notwithstanding subdivision (d)(2)(A), a claimant's maximum eligibility shall not be reduced during a benefit year for a claim.

SECTION 3. The department of labor and workforce development shall implement Section 1 and Section 2 no later than December 1, 2023. Sixty (60) days prior to the department's scheduled implementation of Section 1 and Section 2, the department shall notify the executive secretary of the Tennessee Code Commission of the scheduled date of implementation. The Tennessee Code Commission is requested to include the implementation date in the compilation or publication of the Tennessee Code Annotated containing this act.

SECTION 4. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 5. This act takes effect upon becoming a law, the public welfare requiring it.